

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of RAHEEM I. KALIMULLAH and
ISMAIL M. KALIMULLAH, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ISMAIL MIKAL KALIMULLAH,

Respondent-Appellant,

and

DEBRA LOUISE THOMAS,

Respondent.

UNPUBLISHED

August 10, 1999

No. 214184

Wayne Circuit Court

Family Division

LC No. 93-310633

Before: Sawyer, P.J., and Holbrook, Jr., and W. E. Collette,* JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from a family court order terminating his parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i), (g), and (j). We affirm.

Respondent-appellant argues that there was no clear and convincing evidence presented below to support the termination under § 19b(3)(c)(i). After reviewing the record, we conclude that the family court did not clearly err in finding that § 19b(3)(c)(i) was established by clear and convincing evidence. *In re Miller*, 433 Mich 331; 445 NW2d 161 (1989). Furthermore, even if termination was not justified under § 19b(3)(c)(i), respondent-appellant is not entitled to appellate relief with regard to the issue of petitioner's burden of establishing a statutory ground for termination, because he does not

* Circuit judge, sitting on the Court of Appeals by assignment.

address the family court's determination that termination was also warranted under §§ 19b(3)(a)(ii), (g) and (j). See *In re JS & SM*, 231 Mich App 92, 98-99; 585 NW2d 326 (1998) (observing that the failure to brief merits of an allegation of error is deemed abandonment of the issue); *Roberts & Son Contracting, Inc v North Oakland Development Corp*, 163 Mich App 109, 113; 413 NW2d 744 (1987) (observing that the failure to address an issue which necessarily must be reached precludes relief). Finally, respondent-appellant does not specifically argue, nor does the record indicate, that termination of his parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 473; 564 NW2d 156 (1997). Thus, the family court did not err in terminating respondent-appellant's parental rights to the children.

Affirmed.

/s/ David H. Sawyer

/s/ Donald E. Holbrook, Jr.

/s/ William E. Collette